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★ JAN 30 2012 ★

BROOKLYN OFFICE

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F.# 2012R00113/OCDETF # NY-NYE-578

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

- - - - -X

UNITED STATES OF AMERICA

I N D I C T M E N T

- against -

PHILIP HAROLD TARBELL,

Defendant.

Cr. No. _____
(T. 21, U.S.C., §§
841(a)(1), 841(b)(1)(C),
846, 853(a) and 853(p);
T. 18, U.S.C., §§ 2 and
3551 et seq.)

THE GRAND JURY CHARGES:

CR 12 - 084

COUNT ONE

(Conspiracy to Distribute MDMA)

IRIZARRY, J.

1. On or about November 3, 2011, within the Eastern District of New York and elsewhere, the defendant PHILIP HAROLD TARBELL, together with others, did knowingly and intentionally conspire to distribute and possess with intent to distribute a controlled substance, which offense involved a substance containing MDMA, a Schedule I controlled substance, contrary to Title 21, United States Code, Section 841(a)(1).

(Title 21, United States Code, Sections 846 and 841(b)(1)(C); Title 18, United States Code, Sections 3551 et seq.)

COUNT TWO
(MDMA Distribution)

2. On or about November 3, 2011, within the Eastern District of New York and elsewhere, the defendant PHILIP HAROLD TARBELL, together with others, did knowingly and intentionally distribute and possess with intent to distribute a controlled substance, which offense involved a substance containing MDMA, a Schedule I controlled substance.

(Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(C); Title 18, United States Code, Sections 2 and 3551 et seq.)

CRIMINAL FORFEITURE ALLEGATION

3. The United States hereby gives notice to the defendant that, upon his conviction of either or both of the counts charged in this indictment, the government will seek forfeiture in accordance with Title 21, United States Code, Section 853(a), which requires any person convicted of any such offense to forfeit any property constituting, or derived from, proceeds obtained, directly or indirectly, as a result of any such offense, and any property used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of any such offense.

4. If any of the above-described forfeitable property, as a result of any act or omission of the defendant:

(a) cannot be located upon the exercise of due diligence;

(b) has been transferred or sold to, or deposited with, a third party;

(c) has been placed beyond the jurisdiction of the court;

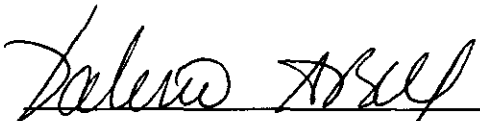
(d) has been substantially diminished in value; or

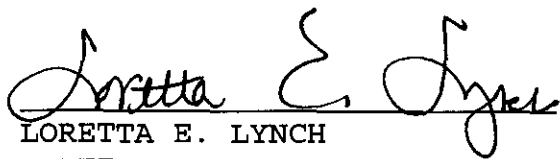
(e) has been commingled with other property which cannot be divided without difficulty; it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of the

defendant up to the value of the forfeitable property described in this forfeiture allegation.

(Title 21, United States Code, Sections 853(a) and 853(p))

A TRUE BILL


FOREPERSON


LORETTA E. LYNCH
UNITED STATES ATTORNEY
EASTERN DISTRICT OF NEW YORK

No.: F. # 2012R00113 / OCDETF # NY-NYE-578

UNITED STATES DISTRICT COURT

EASTERN District of **NEW YORK**

THE UNITED STATES OF AMERICA

vs.

PHILIP HAROLD TARBELL,

Defendant,

I N D I C T M E N T

(T. 21, U.S.C., §§ 841(a) (1), 841(b) (1) (C), 846, 853 (a) and 853 (p);
T. 18, U.S.C., §§ 3551 et seq.)

A true bill

Philip H. Tarbell

Foreman

Filed in open court this _____ day.

Of _____ A.D. 19 _____

Clerk

Bail, \$ _____

Toni Mele, AUSA 718-254-6138